

REMARKS

Reconsideration of the present application is requested on the basis of the following particulars.

1. Interview of May 17, 2004 - Substance of Interview

Applicants appreciate the courtesy of the Examiner in granting an interview with Applicants' representative on May 17, 2004. In accordance with the discussion at the interview, Applicants have amended the claims and present commentary discussing the distinguishing characteristics of the present application in view of the cited prior art.

During the interview, proposed claim amendments were discussed in view of the cited references in the outstanding Office Action. More specifically, it was discussed that the proposed amendments more clearly define the elements recited in claim 1 and the steps of claim 14. The proposed amendments relate to language which recite how the deposit device is able to deposit both strapped sheet material and loose sheet material. It was pointed out by Applicants representative that U.S. Patents 5,996,314 (Pennini et al.), 2,923,587 (Zipf), and 4,369,360 (Tsuji), which were relied upon by the Examiner in the outstanding Office Action to reject the claims of the present application, fail to disclose or suggest the specific embodiment recited in claim 1 and the method recited in claim 14 of the present application.

It was acknowledged by the Examiner that the disclosures of Pennini et al., Zipf, and Tsuji whether considered collectively or individually, likely do not disclose or suggest the apparatus of proposed amended claim 1 and the method of proposed amended claim 14.

2. Amendment to the Specification

The specification has been amended to remove specific reference within the specification to claim 11. Approval of the amendment to the specification is requested in the next communication from the Examiner.

3. Amendment to the Claims

Claims 1 and 14 presently stand amended, and claims 2 and 15 are canceled herein without prejudice or disclaimer. In amended claim 1, the subject matter of original claim 2 has been added to claim 1, and the recitation of the subject matter of claim 2 has been revised to more definitely define the first and second operating modes of the deposit device. Support for this amendment is clearly found in the claims and the drawings as originally filed.

Claim 14 has been amended to include the subject matter of claim 15. Claim 15 was acknowledged in the Office Action as containing allowable subject matter. In essence, claim 14 now represents a version of claim 15 that incorporates the subject matter of the claim from whence claim 15 originally depended. Accordingly, amended claim 14 should be allowed.

The amendment to claim 1 closely parallels the language of claim 2 and also further is in parallel to the subject matter recited in claim 15. In view of this observation and the fact that Applicants assert that the disclosures of Pennini et al., Zipf, and Tsuji whether considered collectively or individually, fail to disclose or suggest the basic claimed apparatus of claim 1 and the method of claim 14, withdrawal of the rejection of claims 1, 3-14, 16 and 17 is respectfully requested.

4. Rejection of Claim 17 Under 35 U.S.C. § 112, Second Paragraph

Claim 17 presently stands rejected for lacking antecedent basis for the term "packet." As amended, the term "packet" has been qualified as being composed of

“strapped sheet material.” It will be noted that “a” precedes the term packet and thus it is believed that the term packet does indeed have suitable antecedent basis.

In view of the amendment of claim 17, withdrawal of this rejection is respectfully requested.

5. Rejection of Claims 1-9, 12-14 and 17 in View of Cited Prior Art References

As indicated above in reference to the interview summary, Applicants submit that the disclosures of Pennini et al., Zipf, and Tsuji, whether considered collectively or individually, fail to disclose or suggest the apparatus of claim 1 having a deposit device with two different operating modes, and the method of claim 14 reciting the steps of selectively depositing sheet material in loose and strapped form in a deposit bin of a deposit unit.

Accordingly, withdrawal of the rejection of claims 1-9, 12-14 and 17 is requested.

6. Conclusion

In view of the amendments to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that claims 1, 3-14, 16, 17 be allowed and the application be passed to issue.

Application No.: 10/069,986
Examiner: Paul R. Durand
Art Unit: 3721

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicants' Attorney, the Examiner is invited to contact the undersigned at the numbers shown below.

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Date: May 24, 2004

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin J. Cassell", written over a horizontal line.

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